



**Kingston Conservation Advisory Council  
Monthly Meeting Minutes  
Kingston City Hall, Date: February 9, 2016  
6:30-8:30pm**

**Council Members:**

Julie Noble (Chair), Emilie Hauser (Vice-Chair) Kevin McEvoy (Secretary), Elizabeth Broad (excused), Lynn Johnson, Casey Schwarz

**Guests:** Lorraine Farina, Krista Micelli, Kristina Virgil, Kate Hudson (Riverkeeper)

- I. Welcome Guests and Public Comment:** The chairperson brought the meeting to order at 6:38 PM. There was no public comment at this time.
- II. Review and Approval of January 2016 Meeting Minutes :** Upon motion by Casey and seconded by Lynn, the Minutes as amended were unanimously approved by the council members present.
- III. Old Business**
  1. **Member Appointments:** Julie provided an update. Lorraine Farina has submitted an application and discussed her interest in the CAC. Julie made a motion to enter into executive session at 6:52 seconded by Kevin passed unanimously by those council members present. Casey made a motion to exit executive session at 6:55 that was seconded by Lynn and approved unanimously by those council members present. There was a consensus of council members present to forward a recommendation to the Mayor's office to accept Lorraine's application.
  2. **Natural Resources Inventory**
    - i. **Spring NRI Intern Krista Micelli Introduction:** Krista discussed interests in mapping and biology. One of her professors is Susan Hereth former CAC member. Krista has ARC GIS skills.
    - ii. **Mapping Update:** Krista discussed her comments on the maps while Kevin and Julie provided a brief overview of the project status as of date. Emilie initiated a discussion regarding extracting NRI data for analysis. Regarding viewsheds, Krista reviewed Tompkins County mapping. Kevin discussed Local Water Revitalization Program (LWRP) and Statewide Areas of Scenic Significance (SASS) both of which concern viewsheds. Although Kingston is not within the boundaries of the SASS, it has views from certain points of areas that lie within such boundaries. Emilie discussed contacting Andrew Meyer, Shoreline Conservation Specialist for the Hudson River Estuary Program regarding viewsheds. Link to Tompkins County is below:  
<http://tompkinscountyny.gov/planvct/tool/scenicviewshedprotection>
    - iii. **HREP grant Update:** Meeting with Laura Heady set for Thursday 2-18.
  3. **Wood Burning/Air Quality:** Creation of Sub-Committee, establish goals and timeline. The council reviewed the December minutes regarding wood smoke and air quality. Lorraine, Lynn and Casey offered to be members of the new Wood Burning/Air Quality Sub-Committee.
- IV. Special Guest Presentation: Kate Hudson, Riverkeeper, Next Steps in the Environmental and Application Process for the Pilgrim Pipeline project, role of City of Kingston, Q & A :** Kate discussed Riverkeeper's Cross Watershed initiatives as an introduction to an overview of the Pilgrim Pipeline Project which includes a two way oil pipeline. Riverkeeper created the Cross Watershed Initiatives program to meet emerging challenges in water supply management, coastal resiliency and energy which efforts cross Riverkeeper program boundaries. The NYS Thruway

corridor is proposed for the route of the Pilgrim Pipeline. Kate explained that the Federal Energy Regulatory Commission (FERC) is not involved since FERC regulates natural gas pipelines pursuant to the Natural Gas Act (NGA) and oil pipelines pursuant to the Interstate Commerce Act (ICA) that gives FERC jurisdiction over rate and tariffs but not construction. See the below links for a regulation primer: <http://www.ferc.gov/students/regulation/oil.asp>  
<http://www.ferc.gov/students/regulation/gas.asp>.

Resources at risk and construction impacts were discussed. One of four pipeline pumps is proposed for the Kingston area in the Town of Ulster. Pilgrim is asking for an exception to the utility accommodation agreement for the NYS Thruway which agreement allows for communication utilities but not pipelines. Link to the Pilgrim Pipeline Use and Occupancy application and a draft Environmental Impact Statement (DEIS) submitted to the NYS Thruway Authority is below:

<http://pilgrimpipeline.com/new-york/>

The NYS Thruway Authority sought lead agency however in December 2015, however the NYS Department of Environmental Conservation (DEC) requested co-lead agency in the matter. The DEC commissioner subsequently received a formal request from the Town of New Paltz for a lead agency determination. See link below:

<https://protectingourwaters.wordpress.com/2016/01/13/new-paltz-challenges-thruway-on-pilgrim-pipelines-review/>

Link to Riverkeeper's letter to the Governor concerning lead agency is below:

<http://www.riverkeeper.org/wp-content/uploads/2015/12/2015-12-15-Pilgrim-Pipeline-NGO-Letter-to-Governor.pdf>.

It is presently unclear as to the timeline for the DEC commissioner to make a determination. Next steps, once a lead agency is selected, would be State Environmental Quality Review Act (SEQRA) scoping. It is critical for local municipalities to identify significant impacts. Incorporated villages and cities have rights to reject the project pursuant to New York Transportation Corporations Law § 87. Cities include Albany, Kingston, Newburgh and Rensselaer. An excerpt from said law is below:

“New York Transportation Corporations Law § 87. Construction through villages and cities: No pipe line shall be constructed into or through any incorporated village or city in this state, unless authorized by a resolution prescribing the route, manner of construction and terms upon which granted, adopted at a regular meeting of the board of trustees of the village or the legislative body of the city by a two-thirds vote thereof, but such resolution shall not affect any private right. No pavement shall be removed in any city under the provisions of this article, except as directed by the legislative body, nor until the corporation seeking to remove the same shall give a bond in such sum as the legislative body may require for relaying of any pavements removed. In case any pavement shall have been removed and not properly relaid, the city may sue such corporation, for the cost of relaying such pavement.”

Riverkeeper believes that the company needs to be forced to show the route pursuant to the above law and that local municipalities need to develop local options and strategies with regards to the project. Regarding Kingston, it was noted that while only a small section of the pipeline passes within City limits, several key local initiatives may be negatively impacted including the Local Economies Project food hub initiative, a portion of the Kingston Greenline trail project (former Ontario & Western rail line), the former Ulster & Delaware rail line, presently the Catskill Mountain Railroad, while two private facilities providing public services are located in the immediate vicinity including a Central Hudson utility substation and the Adirondack Trailways garage and shops. The historic Tjerck Claessen DeWitt old stone house which may date to the 17<sup>th</sup> Century, a privately owned cultural resource, is also located near to the proposed route as is the Stony Run residential development.

## **V. New Business**

**CAC Annual Report-** The annual report was reviewed. Upon motion made by Casey and seconded by Lynn, the council members present unanimously approved the adoption of the CAC Annual Report.

**VI. Announcements/Communications**

1. **Ulster County Solar workshop on March 22:** Planning Seminar - Zoning for Solar - Tuesday, March 22, 2016 from 7:00-9:15PM was mentioned by Julie & Emilie.
2. **NRI webinar:** Krista and Kevin both attended on January 14 and gave a brief summary.
3. **CAC Reappointment:** Lynn has been re-appointed to the CAC for a new term.

**VII. Reports**

1. **Regional CAC Roundtable on February 6:** (CAC attendees) : Emilie discussed her presentations on NRI and Shorelines. George Profous, Senior Forester, NYS DEC Division of Lands, discussed a recent Kingston Tree Commission meeting and discussed Central Hudson tree trimming practices. Tree inventory grants were discussed. The Newburgh CAC presented and would like to have a joint meeting with Kingston CAC. Julie will talk to Sue Cahill about CAC and the Kingston Tree Commission having a joint session and environmental planner Simon Gruber attending the March CAC meeting.
2. **Ulster County Environmental Management Council (EMC Liaison Emilie Hauser) :** Amanda Lavallo discussed open space acquisition possibilities through surplus auctions. DEC is doing a culvert assessment with respect to ecological and flooding issues in Ulster County, that includes a GIS/modeling analysis and a field assessment and prioritization report for the county. Link is below:  
[http://www.midhudsonnews.com/News/2015/October/16/Hudson\\_Estuary\\_grants-16Oct15.html](http://www.midhudsonnews.com/News/2015/October/16/Hudson_Estuary_grants-16Oct15.html)  
Duke's Pit Quarry on DeWitt Mills Rd is being considered for a construction and demolition processing facility. Link to the application information is below:  
[http://www.dec.ny.gov/enb/20160120\\_reg3.htm](http://www.dec.ny.gov/enb/20160120_reg3.htm)  
Saugerties will kick off a Solarize Campaign in March. Link is below:  
<http://solarize-hudsonvalley.org/solarize-campaigns/solarize-saugerties/>  
Saugerties may seek to acquire Bristol Beach from NYS. The Ulster County Planning Board did a negative declaration of the Hudson Valley Rail Trail phase 4 to extend the Hudson Valley Rail Trail westward from the planned Phase 3 terminus at New Paltz Road to South Street in the Town of Lloyd. Kingston Mayor Steve Noble resigned as chairperson of the EMC.
3. **Planning Board Liaison** (Casey Schwarz): No new business within CAC scope.
4. **Public Safety Liaison** (Lynn Johnson) : Steve Schabot is the new chairperson. Bill Carey is still on the committee.
5. **Climate Smart Kingston Commission** (Julie Noble): The Spring 2016 CSK Intern is Kristina Virgil who had to excuse herself early. Appointments have been made by Mayor Noble. First meeting to be announced.

- VIII. Adjournment:** Upon motion made by Casey and seconded by Lynn, the council members present unanimously adjourned the meeting at 9:17 pm.

***Mission: Ensure the conservation of the City of Kingston's natural resources and the enhancement and protection of its environment while fostering unified action on environmental matters.***